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8 Attorneys for Plaintiffs
9 WARNER BROS. RECORDS INC.;
10 CAPITOL RECORDS, INC.; UMG
11 RECORDINGS, INC.; SONY BMG MUSIC
12 ENTERTAINMENT; INTERSCOPE
13 RECORDS; and FONOVisA, INC.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 WARNER BROS. RECORDS INC., a Delaware
18 corporation; CAPITOL RECORDS, INC., a
19 Delaware corporation; UMG RECORDINGS,
20 INC., a Delaware corporation; SONY BMG
21 MUSIC ENTERTAINMENT, a Delaware
22 general partnership; INTERSCOPE RECORDS,
23 a California general partnership; and
24 FONOVisA, INC., a California corporation,

25 Plaintiffs,

26 v.

27 SERGIO OMAR CASTILLO,

28 Defendant.

Case No. 3:06-CV-04244 MEJ

Honorable Maria-Elena James

**[PROPOSED] DEFAULT JUDGMENT AND
INJUNCTION**

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Based upon Plaintiffs' Application for Default Judgment By The Court, and good cause appearing therefor, it is hereby Ordered and Adjudged that:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the eight (8) sound recordings listed in Exhibit A to Plaintiffs' Complaint. Accordingly, having adjudged to be in default, Defendant Sergio Omar Castillo ("Defendant") shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand Dollars (\$6,000.00).

2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of Four Hundred Twenty Dollars (\$420.00).

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "A Place For My Head," on album "Hybrid Theory," by artist "Linkin Park" (SR# 288-402);
- "Tu Solo Tu," on album "Dreaming of You," by artist "Selena" (SR# 210-307);
- "Race Against Time," on album "Venni Vetti Vecci," by artist "Ja Rule" (SR# 174-722);
- "K-I-Ss-I-N-G," on album "I Am," by artist "Nas" (SR# 175-149);
- "It's All About Me," on album "Mya," by artist "Mya" (SR# 255-973);
- "What's Your Fantasy," on album "Back For the First Time," by artist "Ludacris" (SR# 289-433);
- "La Camionata Gris," on album "Corridos Prohibidos," by artist "Los Tigres Del Norte" (SR# 105-540);
- "Que Se Te Olvido," on album "Me Caiste Del Cielo," by artist "Banda El Limon" (SR# 234-188);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media

1 distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e.,
 2 upload) and of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for
 3 distribution to the public, except pursuant to a lawful license or with the express authority of
 4 Plaintiffs. Defendant shall also destroy all copies of Plaintiffs' Recordings that defendant has
 5 downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall
 6 destroy all copies of those downloaded recordings transferred onto any physical medium or device in
 7 Defendant's possession, custody, or control.

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 10 Dated: May 21, 2007



PROOF OF SERVICE

STATE OF CALIFORNIA, CITY AND COUNTY OF SAN FRANCISCO

I am employed in the office of Holme Roberts & Owen in San Francisco, California. I am over the age of eighteen years and not a party to the within action. My business address is 560 Mission Street, 25th Floor, San Francisco, CA 94105.

On March 29, 2007, I served the foregoing documents described as:

**NOTICE OF MOTION AND MOTION FOR DEFAULT JUDGMENT BY THE COURT
AGAINST DEFENDANT SERGIO OMAR CASTILLO; DECLARATION OF THOMAS
KERR IN FURTHER SUPPORT OF MOTION FOR DEFAULT JUDGMENT AGAINST
DEFENDANT SERGIO OMAR CASTILLO; and [PROPOSED] DEFAULT JUDGMENT
AND INJUNCTION**

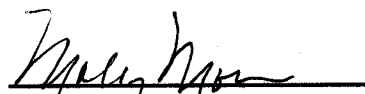
on the interested party in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

Sergio Omar Castillo
6218 S. 249th Street,
Apt. C308
Kent, CA 98032

X BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

X (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on March 29, 2007 at San Francisco, California.


Molly Morris